

**REMARKS**

In the Office Action dated December 19, 2003, the Examiner objected to claims 15 and 19 as improperly dependent on a rejected base claim, but noted that they are drawn to allowable subject matter; rejected claims 1, 4-8, 10, 20, 21, 23, and 27-32 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,147,709 to Martin et al. ("Martin"), or in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Publication No. 2003/0033402 A1 to Battat et al. ("Battat"); rejected claims 2, 3, 6, 9, 11, 22, and 24 under 35 U.S.C. §103(a) as being unpatentable over Martin and Battat, and further in view of U.S. Patent No. 6,281,874 to Sivan et al. ("Sivan"); rejected claims 12-14, 16-18, and 25 under 35 U.S.C. §103(a) as being unpatentable over Martin and Sivan and further in view of Battat; and rejected claim 26 under 35 U.S.C. §103(a) as being unpatentable over Martin, Sivan, and Battat, further in view of U.S. Patent No. 6,600,840 to McCrossin et al. ("McCrossin").

**Summary of this Amendment**

Applicant wishes to thank the Examiner for noting the allowable subject matter in claims 15 and 19. By this Amendment, Applicant amends claims 1 and 20 to more distinctly claim what Applicant regards as his invention. In addition, Applicant for the following reasons, respectfully traverses the rejections and requests the timely reconsideration and allowance of pending claims 1-32.

**Detailed Response**

**Claim Objections**

Applicant submits that claims 15 and 18 are, for the reasons set forth below, dependent from an allowable base claim, claim 1, and therefore respectfully request withdrawal of these objections.

Rejections under 35 U.S.C. §102(a)

The rejections of claims 1-6, 9-11, 15-16, and 28-30 as being unpatentable under 35 U.S.C. § 102(a) are respectfully traversed, since the cited art does not anticipate the claimed combinations.

In order to properly anticipate Applicant's claimed invention under Section 102, a single reference must teach each and every element of the claim in issue, either expressly or under principles of inherency. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the claim." See M.P.E.P. § 2131(8<sup>th</sup> Ed. Aug. 2001), *quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8<sup>th</sup> Ed. 2001). Applicant submits that these requirements have not been met for at least the following reasons.

Independent claim 1 recites a combination including, for example, "during the step of continuous zooming, downloading a detail image information data set from the storage unit," and "improving the resolution of the zoomed-in-on, preselected area ...by means of the downloaded detail image information data set when the zooming in on the preselected area in the presentation image is complete." Applicant respectfully submits that Martin does not teach a combination including at least this feature. More specifically, Martin states that:

At a predetermined level of magnification selected, for example, by a studio and prestored with the image, image transformation processor 104, typically employed for providing a perspective corrected image portion of the wide angle image for display, is actuated to further obtain the rectangular image(s) stored at high resolution from memory at step 105. The processor manipulates and matches it to the wide angle, interactive image and at step 106, overlays

the high resolution image over the perspective corrected image portion it replaces. To do so, the interactive image must have associated memory address data to retrieve the high resolution image(s). *The image(s) to be inserted, once retrieved, have their insertion points matched against the insertion points of the interactive image, are manipulated as necessary and inserted into the interactive image.* Col. 3, lines 39-52 (emphasis added).

It is therefore clear that Martin performs sequential steps of retrieving high resolution image(s), then manipulating the retrieved image(s), and inserted them into the interactive image. In stark contrast, claim 1 recites a combination in which “downloading the detail image information data set” takes place “during the step of continuous zooming,” and “when the zooming in on the preselected area in the presentation image is complete,” the resolution of the zoomed-in-on, preselected area” is improved “by means of the downloaded detail image information data set.” Because Martin fails to disclose such a combination, Applicant respectfully submits that claim 1 is allowable.

By virtue of their dependence from allowable claim 1, claims 4-8 and 10 are also allowable.

Regarding independent claim 20, the Examiner stated that “[p]er independent claim 20, this is directed to a method for provide (sic) the method of independent claim 1, and therefore is rejected to independent claim 1.” See Office Action at p.8. As best as Applicant can understand from this assertion, the Examiner has rejected this claim on the same basis as claim 1, albeit with one additional citation to Martin (at col.5, lines 5-6), at which Martin states that “the digital files may be compressed using a known standard.” *Id.* Applicant respectfully submits that this rejection is deficient. First and foremost, while the methods recites in claims 1 and 20 may be used together, the

claims differ significantly in scope, most notably due to the fact that they do not share even a single claimed step. Accordingly, any rejection of claim 20 on the same grounds as claim 1 is misplaced. See M.P.E.P. §707.07(d) (“A plurality of claims should never be grouped together in a common rejection, unless that rejection is equally applicable to all claims in the group.”).

Furthermore, Applicant submits that the combination recited in claim 20, including “associating the detail image information data sets with the corresponding areas in the presentation image to enable a download of one detail image information data set simultaneously with a continuous zooming in on the corresponding area of the presentation image” is allowable of Martin. As noted above with respect to claim 1, Martin does not disclose downloading a detail image information data set simultaneous with a continuous zooming. It therefore cannot teach “associating the detail image information data sets with the corresponding areas in the presentation image to enable” such a feature. Accordingly, Applicant submits that claim 20 is allowable.

By virtue of their dependence from allowable claim 20, Applicant submits that claims 21, 23, and 27-32 are also allowable.

Rejections under 35 U.S.C. §103(a)

The rejections of claims 1-14, 16-18, and 20-32 as unpatentable under 35 U.S.C. § 103(a) are respectfully traversed, since the cited art does not render the claimed combination obvious.

To render the pending claims obvious under Section 103, each of three requirements must be met. First, the reference or references, taken alone or in combination, must teach or suggest each and every element recited in the claims.

Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, and not be based on applicant's disclosure." (See M.P.E.P. § 2143 (8<sup>th</sup> Ed. 2001)). Applicants submit that these requirements have not been met for at least the following reasons.

Independent claim 1 recites a combination including, "during the step of continuous zooming, downloading a detail image information data set from the storage unit." As noted above regarding claim 1, Martin does not teach this feature. Moreover, Battat fails to cure this deficiency. While the Examiner asserts that "Battat further makes obvious continuous zooming," (Office Action at p. 4) Applicant respectfully submits that Battat notably fails to teach or suggest doing so during "downloading a detail image information data set from the storage unit," as recited in claim 1. Nothing in Martin or Battat suggests that the continuous zooming may take place during the downloading or that such a combination has a reasonable expectation of success. Accordingly, Applicant submits that claim 1 is allowable.

By virtue of their dependence from allowable claim 1, claims 4-8 and 10 are also allowable.

Independent claim 20 recites a combination, including "associating the detail image information data sets with the corresponding areas in the presentation image to enable a download of one detail image information data set simultaneously with a continuous zooming in on the corresponding area of the presentation image." As noted

above with respect to claim 1, Martin does not disclose or suggest downloading a detail image information data set simultaneous with a continuous zooming. It therefore cannot teach or suggest “associating the detail image information data sets with the corresponding areas in the presentation image to enable” such a feature. Furthermore, Battat’s references to “continuous zooming” fall far short of curing this deficiency. Accordingly, Applicant submits that claim 20 is allowable.

By virtue of their dependence from allowable claim 20, Applicant submits that claims 21, 23, and 27-32 are also allowable.

Claims 2, 3, 6, 9, 1-14, and 16-18, each, by virtue of their dependence from independent claim 1 also recite a combination including, “during the step of continuous zooming, downloading a detail image information data set from the storage unit.” As noted above regarding claim 1, the combination of Martin and Battat fails to teach or suggest such a combination. Sivan fails to cure this deficiency. More specifically, as shown in Sivan at Figure 1 and the related discussion, the high resolution graphic image is downloaded to the client and subsequently displayed. Notably, there is no continuous zooming that takes place during this download, nor is there any suggestion to include such a feature. Accordingly, the combination of Martin, Battat and Sivan fails to render obvious a combination including “during the step of continuous zooming, downloading a detail image information data set from the storage unit,” as recited in claims 2, 3, 6, 9, and 11.

Claims 22, 24, and 25 each, by virtue of their dependence from independent claim 20, recite a combination including “associating the detail image information data sets with the corresponding areas in the presentation image to enable a download of

one detail image information data set simultaneously with a continuous zooming in on the corresponding area of the presentation image.” As noted above, the combination of Martin and Battat fails to teach or suggest such a combination. Again, Sivan fails to cure this deficiency. As noted above, with regard to claim 1, Sivan does not disclose downloading a detail image information data set simultaneous with a continuous zooming. It therefore cannot teach “associating the detail image information data sets with the corresponding areas in the presentation image to enable” such a feature. Accordingly, the asserted combination of Martin, Battat, and Sivan fails to render the combination recited in claims 22 and 24 obvious.

Dependent claim 26, by virtue of its dependence from independent claim 20, recites a combination including “associating the detail image information data sets with the corresponding areas in the presentation image to enable a download of one detail image information data set simultaneously with a continuous zooming in on the corresponding area of the presentation image.” As noted above, the combination of Martin, Battat, and Sivan fails to teach or suggest such a combination. McCrossin fails to cure this deficiency. McCrossin fails to teach or suggest even zooming, let alone downloading during zooming. Accordingly, it cannot teach or suggest “associating the detail image information data sets with the corresponding areas in the presentation image to enable a download of one detail image information data set simultaneously with a continuous zooming in on the corresponding area of the presentation image,” as recited in claim 26. Accordingly, the asserted combination of Martin, Battat, Sivan and McCrossin fails to render the claimed combination obvious.

**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of pending claims 1-32.

Please grant any extensions of time required to enter this response and charge any additional required fees to deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

A handwritten signature in black ink, appearing to read 'C. Gramenopoulos', is written over a horizontal line. The signature is fluid and cursive.

Dated: March 19, 2004

By: C. Gregory Gramenopoulos  
Reg. No. 36,532